



Acton Board of Health

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Doug Halley, Health Director

To: All Town Department Heads
From: Justin Snair, Health Dept.
RE: Proposed Bylaw Chapter "U" -Illicit Discharge and Connection to the MS4

As an operator of a small municipal separate storm sewer system (MS4), the Town of Acton is subject to the NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS issued by the United States Environmental Protection Agency.

A condition of the EPA NPDES permit requires that the Town of Acton "develop, implement and enforce a program to detect and eliminate illicit discharges. An illicit discharge is any discharge to a municipal separate storm sewer that is not composed entirely of storm water..." and "to the extent allowable under state or local law, the permittee must effectively prohibit, through an ordinance or other regulatory mechanism, non storm water discharges into the system and implement appropriate enforcement procedures and actions..."

In order to achieve compliance with aforementioned condition, the Acton Water Resources Advisory Committee, acting with authority granted by the Acton Board of Selectman, has drafted a proposed bylaw Chapter "U" -Illicit Discharge and Connection to the MS4. Should the Bylaw be approved by vote at town meeting in April, it has been proposed that the Acton Board of Health be assigned as custodial Town Board and granted the authority to implement, permit, and enforce the provisions of Bylaw Chapter "U".

Health Dept. staff have been substantially involved with the Acton Water Resources Advisory Committee during development of this draft Bylaw and the draft has been endorsed by the Board of Health.

The Acton Water Resources Advisory Committee would like to provide all Town Departments an opportunity to review the proposed bylaw prior to full distribution to all Town Boards and Committees in February.

Please review the attached draft bylaw and return comments to the Acton Health Dept. no later than C.O.B., Jan 29th, 2010.

Regards,

Justin Snair
Environmental Health Agent